

The Salisbury Planning Board held its regular meeting on Tuesday, September 10, 2002, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Jerry Wilkes, Sandy Reitz, Rodney Queen, Sean Reid, Fred Dula, Ken Mowery, Elaine Stiller, Lou Manning, Eldridge Williams, Jeff Smith, Len Clark, Brian Miller

ABSENT: None

STAFF: Harold Poole, Patrick Kennerly, Hubert Furr, Dan Mikkelsen, Janice Hartis

The meeting was called to order by Chairman Dula. The minutes of August 13, 2002, were approved as published.

ZONING MAP AMENDMENTS

Z-16-02 Shelter Ministries of Rowan County, East Liberty and North Long streets

Location: Property on the southwest side of the intersection of North Long and East Liberty streets

Size: Approximately 36,700 square feet

Existing Zoning: M-2 Heavy Industrial

Proposed Zoning: B-5 Central Business District

(a) Chairman Dula convened a courtesy hearing on Z-16-02.

Those speaking in favor of the zoning change request:

Diane Scott, Executive Director of Rowan Helping Ministries and treasurer of the Shelter Ministries Board – Wishes to expand the number of existing transitional housing units operated by Rowan Helping Ministries (Eagle's Nest) from four to ten units. Has found that transitional housing is a very positive new direction to deal with the homeless. People who stay in the shelter for a long period of time cannot become self-sufficient. When you put someone in transitional housing, provide them with case management, the financial budgeting they need and help them to become self-sufficient, that is a better way to bring people from homelessness into self-sufficiency.

Chris Bradshaw, Rowan Helping Ministries representative to the Shelter Ministries Board as well as chairman of the Shelter Ministries Board – The transitional housing is a short-term stay—long enough for people to get back on their feet.

Bob Busby, Vice chairman of the Shelter Ministries Board – This is a downzoning request. It will be protective of and beneficial to the nearby Park Avenue neighborhood. It is also consistent with and a natural extension of the B-5 zoning that already occupies most of that block.

Those speaking in opposition to the zoning change request:

None

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

On a motion by Rodney Queen, seconded by Sandy Reitz, with all members voting AYE, the request was favorably recommended to City Council for approval.

The Park Avenue Committee, which is studying the North Long Street area (East Innes to Bringle Ferry Road), was directed to give particular attention to the B-CS-zoned area in the two block section on the east side of North Long Street from Shaver Street to Park Avenue (the area directly across Long Street from the Rowan Shelter Ministries property).

GROUP DEVELOPMENT

G-11-02 Hedrick Industrial Avenue Park, 634 Industrial Avenue

An application has been submitted for the conversion of two existing structures into eight business units. The Technical Review Committee recommends approval of the application. On a motion by Rodney Queen, seconded by Jeff Smith, with all members voting AYE, the site plan was recommended to City Council for their approval.

COMMITTEE REPORTS

(a) Z-14-02 Bobbie J. Cline/Jake Alexander Blvd.-Clancy Street and vicinity – Elaine Stiller reported for the committee. The committee is recommending that the two pieces of property in the Bobbie Cline request be rezoned to B-1 Office Institutional rather than the proposed B-CS Convenience Service Business District. The committee is also recommending rezoning three adjacent properties to B-1 Office Institutional from its present R-8 zoning. The committee felt that B-1 would be a more appropriate zoning than the existing R-8 zoning or the proposed B-CS zoning due to other area land use and zoning. The committee proposes holding a courtesy hearing at its next Planning Board meeting to receive input from the five property owners as well as adjacent property owners. Eldridge Williams made a motion to hold a courtesy hearing at the September 24 Planning Board meeting for the expanded area. The motion was seconded by Ken Mowery with all members voting AYE.

(b) John Riley's sign request – Jeff Smith reported for the committee. Four options were debated by the committee: leave the ordinance as it is currently written, recommend changes that would allow the proposed sign, allow the sign but with some additional restrictions, or leave the ordinance as it is written but remove the allowance for the "time and temperature" signs. The committee reached a consensus that any time an electronic sign is allowed, it could not be over 50% of the actual total size allowed for the sign. Neither could it flash or be animated. The committee wants to talk about it some more but thought it was appropriate to bring these ideas to the board to see if there was any discussion before the committee continues their discussion. A potential addition to the ordinance could read as follows:

"Where a ground sign is permitted, up to 50 percent of the sign face may consist of a manual or electronic reader board or changeable copy sign provided that:

- (a) the sign does not contain or display any type of flashing, scrolling or animated message
- (b) the changeable message or display remains fixed for no less than 30 seconds, except as allowed by Section 9.04(12). [Time and temperature signs would still be allowed a 5-second interval.]"

Brian Miller felt that before any change was made to the sign ordinance, a courtesy hearing should be held to hear from the businesses this amendment would affect. He moved to approve the proposed text amendment and hold a courtesy hearing for public comment. The motion was seconded by Jeff Smith. Following discussion, Messrs. Miller, Smith, Manning and Clark voted AYE with Messrs. Mowery, Reid, Queen, Williams, Wilkes, Mrs. Stiller and Mrs. Reitz voting NAY. The motion was defeated. Sean Reid then moved to send the matter back to committee. The motion was seconded by Jerry Wilkes with all members voting AYE.

(c) Legislative Committee – Sean Reid reported for the committee. This committee is studying the possibility of reducing parking requirements for commercial group developments less than 200,000 square feet. The current requirement is 4.5 spaces per 1,000 square feet in group developments less than or equal to 200,000 square feet in size and 5 spaces per 1,000 square feet in group developments greater than 200,000 square feet in size. Information was provided to the committee showing a variety of commercial developments in Salisbury between 50,000 and 355,000 square feet, along with their required and actual parking counts. Staff has observed unused parking in many shopping centers around the city, particularly in shopping centers of less than 200,000 square feet, and has suggested reducing the requirement from 4.5 spaces to 4 spaces per 1,000 square feet for these developments. The committee is not ready with a recommendation but, at this point, feels the requirement should not be changed. The committee is also looking at a three-tiered system for parking spaces rather than the existing two-tiered system (above 200,000 sq. ft. and less than 200,000 square feet).

Mr. Poole announced that he had received a letter from Darren Hipp, of College Inn Barber Shop, asking that barber poles be allowed to rotate. This issue was referred to the Legislative Committee.

(d) Definition for “conditional uses” – The proposed text amendment involves situations where properties receive approval for a “conditional use” from the Zoning Board of Adjustment. There have been two cases where conditional uses have been “carried forward,” even though the zoning on the property changed and properties remained vacant for as long as six years. The proposal would require that when property is rezoned where a conditional use permit has been approved by the Zoning Board of Adjustment, this use will become nonconforming unless and until a new conditional use permit is issued by the Zoning Board of Adjustment. On a motion by Ken Mowery, seconded by Brian Miller, with all members voting AYE, the following zoning text amendment for the definition of “conditional use” in Section 4.02 Definitions was recommended to City Council for approval (proposed change shown in italics):

A use permitted only upon approval of the Salisbury Zoning Board of Adjustment. Such a use shall be permitted only in the district in which it is listed and shall not be accumulative to any other district. *If property exists such that an existing use which was previously allowed by right would be allowed only as a conditional use, that use shall become nonconforming unless and until a conditional use permit is issued.*

GOALS AND HIGHLIGHTS

Senior Planner Harold Poole reported on his presentation to the City Manager on the status of Planning Board's 2001-2002 goals and highlights. This presentation to the City Manager is given by staff members. In February, all board and commission chairpersons meet with the City Council for an update of individual boards' goals and highlights.

SIDEWALKS

Rodney Queen indicated that several people had contacted him concerning the lack of sidewalks along Brenner Avenue extending to the Harris Teeter shopping complex. He asked if there were any plans for sidewalks in this area. City Engineer Dan Mikkelsen responded that the city had applied for a grant from DOT, and DOT has set up the funding for the city to establish a greenway trail that will connect from Kelsey Scott Park to the entrance of the Harris Teeter shopping center on Brenner Avenue. A preliminary design is in place for a trail that starts at Kelsey Scott Park where it will go under the Old Wilkesboro Road bridge over Grants Creek, run parallel along Old Wilkesboro Road to the traffic signal at the intersection of Old Wilkesboro Road and Brenner Avenue, turn and follow Brenner Avenue towards Jake Alexander Boulevard, and stop at the entrance of Harris Teeter. It will be a ten-foot wide asphalt trail, only on one side of the street, and can be used by bicyclists as well as pedestrians. DOT would like for this trail to be completed in the next year or two, but due to city staff reduction, it is hard to determine the completion date. Sean Reid asked about the possibility of including a sidewalk on Old Wilkesboro Road from Brenner Avenue to the railroad. There are a lot of kids walking from this area to Miller Recreation Center. Mr. Mikkelsen indicated that the Salisbury Vision 2020 is strong on improving and increasing what the city does with sidewalks. The principal problem right now is that the city doesn't have any program in place that we can turn to for installing sidewalks.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary